

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JAMES ERNEST DICKERSON,

Plaintiff,

v.

CAROL PORTER *et al.*,

Defendants.

Case No. C06-5235RJB

ORDER DENYING PLAINTIFF'S  
MOTION FOR APPOINTMENT  
OF COUNSEL

This civil rights action filed pursuant to 42 U.S.C. § 1983 has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. § 636(b)(1)(B). Plaintiff has filed a motion for appointment of counsel. (Dkt. # 7)

On June 5<sup>th</sup>, 2006 this court entered an order to show cause why plaintiff had not cured his *in forma pauperis* application defects. (Dkt # 5). Mr. Dickerson did not respond and the court entered a Report and Recommendation to deny the privilege of *in forma pauperis* status in this case. Plaintiff did not reply or object to the Report and Recommendation and on August 21<sup>st</sup>, 2006 the Report and Recommendation was adopted. (Dkt # 10).

Plaintiff has been given until September 21<sup>st</sup>, 2006 to pay the full 350 Dollar filing fee or this action

1 will be dismissed without prejudice. (Dkt. # 10). In light of that order the motion for appointment of  
2 counsel is **DENIED**.

3 The Clerk is directed to send plaintiff a copy of this Order and to remove (Dkt. # 7) from the  
4 court calendar.

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6 DATED this 31<sup>st</sup> day of August, 2006.

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8 /s/ J. Kelley Arnould  
9 J. Kelley Arnold  
United States Magistrate Judge  
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